

**PROCESS RECEIPT AND RETURN**

*See "Instructions for Service of Process by U.S. Marshal"*

FED  
FAYETTEVILLE, N.C.

DEC 12 2016

|  |  |
|--|--|
| PLAINTIFF<br>Michael J. Garvey   | COURT CASE NUMBER<br>5:16CV209-RLV   |
| DEFENDANT<br>Seterus, Inc., et al  | TYPE OF PROCESS<br>Summons & Complaint <i>U.S. District Court Western District of N.C.</i> |
| NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONSTITUTE<br><b>SERVE AT</b> Shiann Schmidt, Hutchens Law Firm, 4317 Ramsey Street, Fayetteville, NC 28311<br>ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) |  |
| Serve on: Resident Agent, H. Terry Hutchens, 4317 Ramsey Street, Fayetteville, NC 28311  |  |
| SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW   | Number of process to be served with this Form 285<br>2                                     |
| Michael J. Garvey<br>c/o 330 Walter Godbey Road<br>West Jefferson, NC 28694  | Number of parties to be served in this case<br>9   |
|  | Check for service on U.S.A.  |

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (*Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service*):

Fold  
IN FORMA PAUPERIS ORDER

|   |   |                  |         |
|---|---|------------------|---------|
| Signature of Attorney other Originator requesting service on behalf of: | <input checked="" type="checkbox"/> PLAINTIFF | TELEPHONE NUMBER | DATE    |
|   | <input type="checkbox"/> DEFENDANT            | 336-877-6298     | 12/2/16 |

**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE**

|  |                    |                              |                             |   |                    |
|--|--------------------|------------------------------|-----------------------------|---|--------------------|
| I acknowledge receipt for the total number of process indicated.<br><i>(Sign only for USM 285 if more than one USM 285 is submitted)</i> | Total Process<br>1 | District of Origin<br>No. 58 | District to Serve<br>No. 58 | Signature of Authorized USMS Deputy or Clerk<br><i>Mark a Chapman</i> | Date<br>11/20/2016 |
|--|--------------------|------------------------------|-----------------------------|---|--------------------|

I hereby certify and return that I  have personally served,  have legal evidence of service,  have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (*See remarks below*)

|   |  |  |
|---|--|--|
| Name and title of individual served ( <i>if not shown above</i> ) | <input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode |  |
| Address ( <i>complete only different than shown above</i> )       | Date<br>11/30/16   | Time<br><input type="checkbox"/> am<br><input type="checkbox"/> pm |
| Signature of U.S. Marshal or Deputy<br><i>[Signature]</i>         |  |  |

|                       |   |                |               |                  |   |
|-----------------------|---|----------------|---------------|------------------|---|
| Service Fee<br>\$8.00 | Total Mileage Charges including endeavors | Forwarding Fee | Total Charges | Advance Deposits | Amount owed to U.S. Marshal* or (Amount of Refund*)<br>\$0.00 |
|-----------------------|---|----------------|---------------|------------------|---|

REMARKS: 11/28/16: received by USMS Asheville; entered into JDIS  
11/28/16: mailed by certified mail, return receipt requested, postal #7004 0550 0001 5405 8334  
12/6/16: return receipt received signed but not dated; a search of USPS.com shows delivery date as 11/30/16 12/9/16: closed out of JDIS 285

**DISTRIBUTE TO:**

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

*returned*

UNITED STATES DISTRICT COURT  
for the  
Western District of North Carolina

MICHAEL J. GARVEY

*Plaintiff* )  
v. ) Civil Action No. 5:16 CV 209-RLV  
 )  
SHIANN SCHMIDT )  
 )  
 )  
 )  
*Defendant* )

**SUMMONS IN A CIVIL ACTION**

**TO:** (*Defendant's name and address*)

SHIANN SCHMIDT  
HUTCHENS LAW FIRM  
4317 RAMSEY STREET  
FAYETTEVILLE, NC 28311  
SERVED ON: H. TERRY HUTCHENS, RESIDENT AGENT  
4317 RAMSEY STREET  
FAYETTEVILLE, NC 28311

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) – or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) – or 60 days if you are named as a defendant within an asbestos litigation case - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Michael J. Garvey  
c/o 330 Walter Godbey Road  
West Jefferson, NC 28694

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**FRANK Q. JOHNS**

*By: Carolyn B. Bouchard  
Deputy Clerk*

*Nov. 22, 2016*

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: 5:16CV209

Shiann Schmidt  
Hutchens Law Firm  
c/o Resident Agent H. Terry Hutchens  
4317 Ramsey Street  
Fayetteville, NC 28311



9590 9403 0505 5173 6781 76

2. Article Number (Transfer from service label)

7004 0550 0001 5405 8334

**COMPLETE THIS SECTION ON DELIVERY**

## A. Signature

Agent  
 Addressee

## B. Received by (Printed Name)

Shanell Adkins

## C. Date of Delivery

D. Is delivery address different from Item 1?  Yes  
If YES, enter delivery address below:  No

## 3. Service Type

Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery

Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Return Receipt for Merchandise  
 Signature Confirmation™  
 Signature Confirmation Restricted Delivery

PS Form 3811, April 2015 PSN 7530-02-000-9053

Domestic Return Receipt

[English](#)[Customer Service](#)[USPS Mobile](#)[Register / Sign In](#)

## USPS Tracking®

[Still Have Questions?](#)[Browse our FAQs >](#)[Get Easy Tracking Updates >](#)  
[Sign up for My USPS...](#)**Tracking Number:** 70040550000154058334**Updated Delivery Day:** Wednesday, November 30, 2016

### Product & Tracking Information

**Postal Product:****Features:**

Certified Mail™

### Available Actions

[Text Updates](#)**DATE & TIME****STATUS OF ITEM****LOCATION**[Email Updates](#)

November 30, 2016, 10:02 am

Delivered, To Mail Room

FAYETTEVILLE, NC 28311

Your item has been delivered to the mail room at 10:02 am on November 30, 2016 in FAYETTEVILLE, NC 28311.

November 30, 2016, 4:57 am

Arrived at Unit

FAYETTEVILLE, NC 28301

November 29, 2016, 9:12 pm

Departed USPS Facility

FAYETTEVILLE, NC 28302

November 29, 2016, 7:34 pm

Arrived at USPS Facility

FAYETTEVILLE, NC 28302

November 29, 2016, 10:15 am

Arrived at USPS Facility

FAYETTEVILLE, NC 28301

November 29, 2016, 3:59 am

Departed USPS Facility

GREENVILLE, SC 29607

November 28, 2016, 10:41 pm

Arrived at USPS Facility

GREENVILLE, SC 29607

### Track Another Package

**Tracking (or receipt) number**[Track It](#)

### Manage Incoming Packages

Track all your packages from a dashboard.  
No tracking numbers necessary.

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**HELPFUL LINKS**

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